IN RE: PETITION FOR ZONING VARIANCE S/S Sulphur Spring Road, 80' W * DEPUTY ZONING COMMISSIONER of the c/l of Carvell Avenue (1331 Sulphur Spring Road) * OF BALTIMORE COUNTY 13th Election District 1st Councilmanic District * Case No. 91-101-A Salvatore E. Anello, III, et al Petitioners * * * * * * * * * * AMENDED ORDER

WHEREAS, the Petitioners were granted a variance to permit a driveway width of 10 feet for two-way movements in lieu of the required 20 feet, in accordance with Petitioner's Exhibit 1, by Order issued November 20, 1990, subject to restrictions; and,

WHEREAS, subsequent to the issuance of said Order, Petitioners advised this Office that Restriction No. 2 of said Order inadvertently required compliance with Department of Environmental Protection and Resource Management (DEPREM), Bureau of Water Quality comments not relative to the matter; and,

WHEREAS, a review of the case file revealed that DEPREM had no comments relative to this case;

IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this day of December, 1990 that Restriction No. 2 of the

Order issued November 20, 1990 be modified to read as follows: "2) Compliance with the comments submitted by the Deputy Director of Planning dated September 28, 1990, attached hereto and made a part hereof."

IT IS FURTHER ORDERED that all other terms and conditions set

S/S Sulphur Spring Road, 80' W DEPUTY ZONING COMMISSIONER of the c/l of Carvell Avenue (1331 Sulphur Spring Road) * OF BALTIMORE COUNTY 13th Election District 1st Councilmanic District * Case No. 91-101-A

IN RE: PETITION FOR ZONING VARIANCE

Petitioners

Salvatore E. Anello, III, et al

* * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a driveway width of 10 feet for two-way movements in lieu of the required 20 feet, or in the alternative, to permit a driveway width of 14 feet for two-way movements in lieu of the required 20 feet, in accordance with Petitioner's Exhibit 1.

The Petitioners, Salvatore E. Anello, III and James J. Temple, Jr., Legal Owners, appeared, testified and were represented by S. Eric DiNenna, Esquire. Also appearing on behalf of the Petition were Paulyne J. and Betty Jane Volmar, Tenants, and Paul C. Crooks, Jr., Engineer. There were no Protestants.

Testimony indicated that the subject property, known as 1331 Sulphur Spring Road, consists of 5,506 sq.ft. zoned B.L.-C.C.C. and is improved with a two-story frame structure that is estimated to be over 40 years of age. Petitioners testified that Paulyne Volmar and her daughter, Betty Jane, have operated the Harbor School of Dance studio across the street at 1334 Sulphur Spring Road, which is also owned by Petitioners, for the past 8 years. Mrs. Volmar has operated a dance studio in the area since 1951. Testimony indicated that due to Petitioners' plans to expand their law offices at 1336 Sulphur Spring Road, the dance studio will be forced to relocate. Mrs. Volmar is interested in moving the dance studio

to the subject property; however, the driveway at this location does not meet the width requirements set forth in the zoning regulations. Testimony indicated that due to the existing improvements and the unique characteristics of the subject property, strict compliance with the zoning regulations is not possible. Testimony indicated that Petitioners have not had parking at their present location and that students and their parents have adjusted without any difficulty. Petitioners indicated that there is ample metered parking in the vicinity and that parking in downtown Arbutus has proven to be sufficient in the last 8 years. For that reason, Petitioners argued the driveway access would not present a problem as the only individuals parking on the lot would be the tenants. Testimony indicated that the widening of the driveway, even to the additional 4 feet proposed as an alternative, would be a hardship due to the B G & E pole at the corner of the driveway. Petitioners have discussed the matter with the adjoining property owners, who are in favor of the proposed move as evidenced by Petitioner's Exhibit 2A through 2K. Testimony indicated that the Harbor School of Dance is considered to be an asset to the community. Petitioners argued that the granting of the variance would not result in any detriment to the health, safety or general welfare of the surrounding community.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome:
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the

PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 409.4 To allow a driveway with a width of 10 ft. for 2-way movements in lieu of the required 20 ft. width OR IN THE ALTERNATIVE To allow a driveway with a width of 14 ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

for 2-way movements in lieu of the required 20 ft. width.

Ro room to wider devisiony.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County. I/We do solemnly declare and affirm,

Legal Owner(s): Mrs. Paulyne Volmar Salvatore E. Anello, III Ms. Betty Jane Volmar-(Type or Print Name) Me. Paulyne Volmar Y Ms. Betty Jone Wolmon Signature Signature 1336 Sulphur Spring Road James J. Temple, Jr. Baltimore, Maryland 21227 City and State Attorney for Petitioner: (Type or Print Name)

Name, address and phone number of legal owner, contract purchaser or representative to be contacted City and State

ORDERED By The Zoning Commissioner of Baltimore County, this that the subject matter of this petition be advertised, as required by the Zoming Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore

AVAILABLE FOR HEARING MON./TUES./WED. - NEXT TWO MONTHS DATE 8-10-90

Attorney's Telephone No.: _____

Zoning Commissioner of Baltimore County.

who is the second down the

under the penalties of perjury, that I/we

are the legal owner(s) of the property

which is the subject of this Petition.

district or whether a lesser relaxation than that applied for would give substantial relief; and

3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28

It is clear from the testimony that if the variance is granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public health. safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this Withday of November, 1990 that the Petition for Zoning Variance to permit a driveway width of 10 feet for two-way movements in lieu of the required 20 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

> 1) The Petitioners may apply for their permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

> 2) Compliance with the comments submitted by the Deputy Director of Planning dated September 28, 1990, the Department of Environmental Protection and Resource Management, Bureau of Water Quality, dated August 22, 1990, and the Department of Permits and Licenses,

> > - 3-

ED BROWN & ASSOCIATES LAND SURVEYORS - PLANNERS SUITE 204

1993 MORELAND PARKWAY ANNAPOLIS, MARYLAND 21401

91-101-H

EDWARD A. BROWN L.S

ZONING DESCRIPTION

Beginning at a point on the South side of Sulphur Spring Road which is a 30 foot wide right of way and located 80 feet \pm West of the centerline of Carvelle Avenue which is a 40 foot wide right of way. Thence the following courses and distances:

1) South 07° 15' 00" West - 119.70 feet 2) North 82° 45' 00" West - 46 feet

3) North 07°15′00" East - 119.70 feet 4) South 82° 45' 00" East - 46 feet to the place of beginning as recorded in Deed Liber 8329, Folio 436.

Intended to be Lot 101 as shown on Plat No. 2 in the subdivision of "North Halethorpe" as recorded in Baltimore County Plat Book W.P.C. 7, Folio 140, containing 5506 square feet or 0.13 acres of land more or less.

Subject to a widening area to the State Roads Commission of Maryland by Deed Liber T.B.S. 1665, Folio 459.

Also known as 1331 Sulphur Spring Road and located in the Thirteenth Election District of Baltimore County.



forth in the Order issued November 20, 1990 shall remain in full force and for Baltimore County cc: Salvatore E. Anello, III, Esquire S. Eric DiNenna, Esquire People's Counsel; Case File

dated September 11, 1990, attached hereto and made a part hereof.

3) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

> On MN estrano 12 ANN M. NASTAROWICZ Deputy Zoning Commissioner for Baltimore County

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines
Zoning Commissioner

November 20, 1990

S. Eric DiNenna, Esquire 409 Washington Avenue, Suite 600 Towson, Maryland 21204

RE: PETITION FOR ZONING VARIANCE S/S Sulphur Spring Road, 80' W of the c/l of Carvell Avenue (1331 Sulphur Spring Road) 13th Election District - 1st Councilmanic District Salvatore E. Anello, III, et al - Petitioners Case No. 91-101-A

Dear Mr. DiNenna:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours, A MNohowia ANN M. NASTAROWICZ

for Baltimore County

Deputy Zoning Commissioner

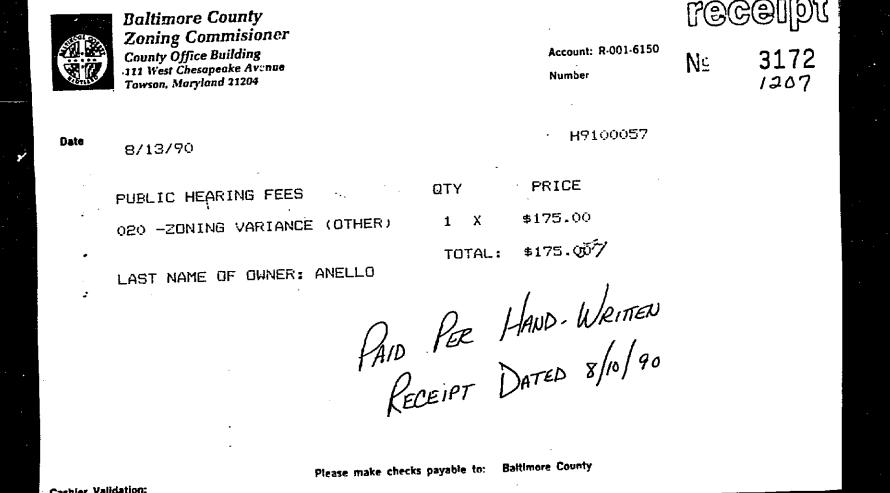
Dennis F. Rasmussen
County Executive

AMN:bis

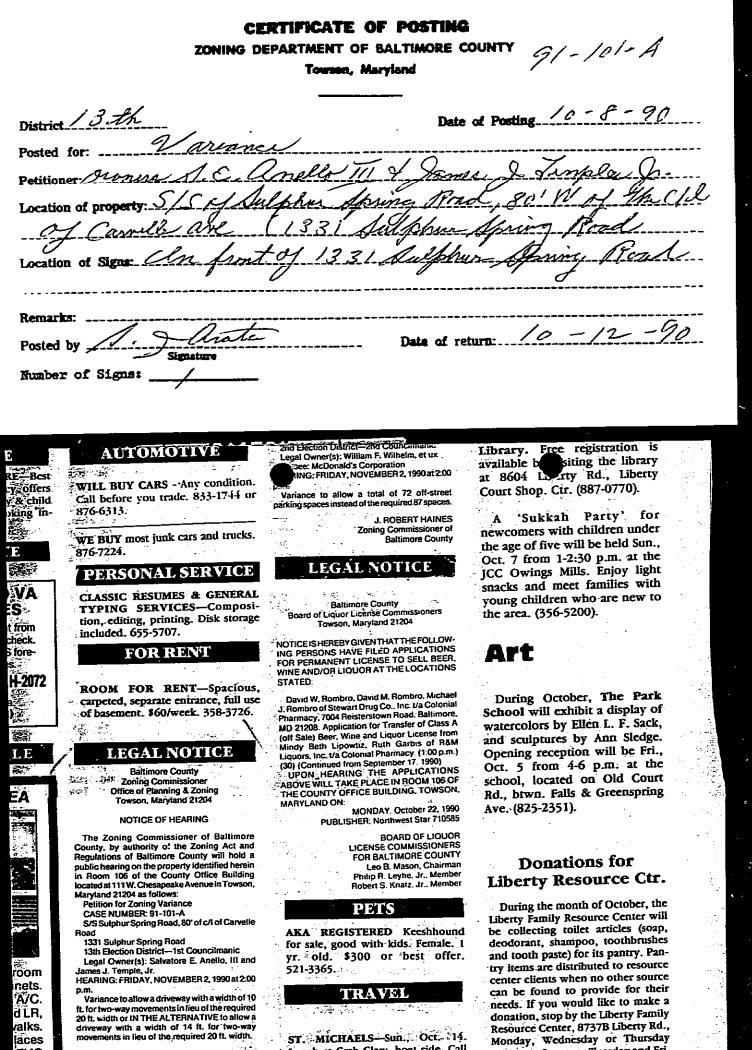
cc: People's Counsel

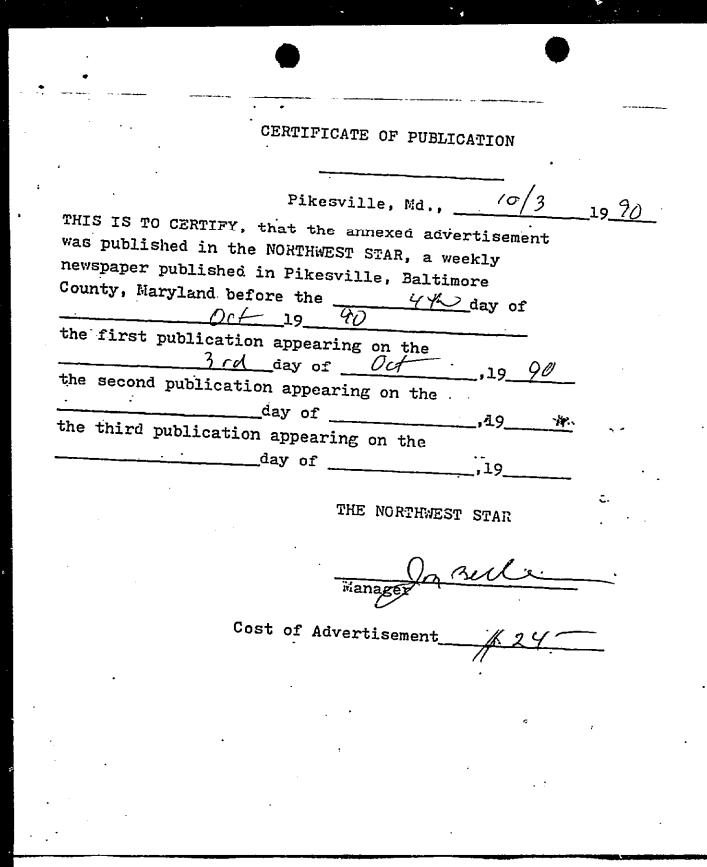
File

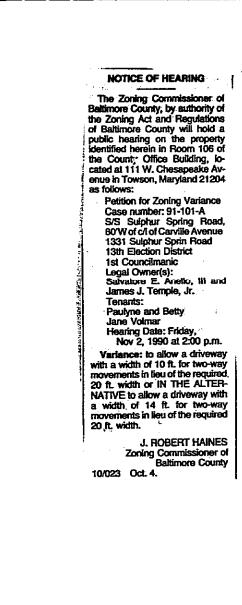
- 4-



Baltimore County Zoning Commisioner County Office Building 111 West Chesapeake Avenue Anello & Temple
Attorneys of Low; 1334 Sulptur Spring Rd., 21227 For Commercial Variance 1331 Sulphur Spring Rd. filing fee \$ 175.00 \$175.00 04A04#0024MICHRC BA C003:16PM08-10-90 Please make checks payable to: Baltimore CountyNEXT BUSINESS DAY







CERTIFICATE OF PUBLICATION

TOWSON, MD., 10-11, 1998THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of _____ successive weeks, the first publication appearing on ___

THE JEFFERSONIAN.

5. Zete Orlan

\$ 42.70

19 jepen Zoning Commisioner County Office Building 111 West Chesapeake Avenue

M9100386

PUBLIC HEARING FEES 080 -POSTING SIGNS / ADVERTISING 1 X

TOTAL: \$91.70 LAST NAME OF OWNER: ANELLO

Please make checks payable to: Baltimore County

04A04#0152MICHRC ■ BA COD1:39PM11-02-90

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines

Salvatore E. Anello, III

1334 Sulphur Spring Road

James J. Temple, Jr.

7

10-26-90

Dennis F. Rasmussen County Executive

Baltimore, Maryland 21227 Petition for Zoning Variance CASE NUMBER: 91-101-A S/S Sulphur Spring Road, 80'W of c/l of Carvelle Avenue 1331 Sulphur Spring Road 13th Election District – 1st Councilmanic Legal Owner(s): Salvatore E. Anello, III and James J. Temple, Jr.

Tenants: Paulyne and Betty Jane Volmar

HEARING: FRIDAY, NOVEMBER 2, 1990 at 2:00 p.m.

Please be advised that $\frac{91.70}{}$ is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & PUST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

Be advised that should you fail to return the sign & post set(s), there will be an additional \$50.00 added to the above amount for each such set not returned.

ZONING COMMISSIONER

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines
Zoning Commissioner

September 20, 1990

Lunch at Crab Claw, boat ride. Call

J. ROBERT HAINES

Dennis F. Rasmussen County Executive

8:30 a.m.-9 p.m. or Tuesday and Fri-

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public bearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

NOTICE OF HEARING

Petition for Zoning Variance CASE NUMBER: 91-101-A S/S Sulphur Spring Road, 80 d of c/l of Carvelle Avenue 1331 Sulphur Spring Road 13th Election District - 1st Councilmanic Legal Owner(s): Salvatore E. Anello, III and James J. Temple, Jr. Tenants: Paulyne and Betty Jane Volmar HEARING: FRIDAY, NOVEMBER 2, 1990 at 2:00 p.m.

Variance: To allow a driveway with a width of 10 ft. for two-way movements in lieu of the required 20 ft. width or IN THE ALTERNATIVE to allow a driveway with a width of 14 ft. for two-way movements in lieu of the required 20 ft. width.

> Zoning Commissioner of Baltimore County

cc: Legal Owners

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353

J. Robert Haines

Mr. Salvatore E. Anello, III 1334 Sulphur Spring Road Baltimore, MD 21227

October 24, 1990

RE: Item No. 57, Case No. 91-101-A Petitioner: Salvatore E. Anello, et al Petition for Variance

Dennis F. Rasmussen

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Dear Mr. Anello:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

JAMES E. DYER Chairman Zoning Plans Advisory Committee

JED:jw

Enclosures cc: Mrs. Paulyne Volmar 1336 Sulphur Spring Road Baltimore, MD 21227

Baltimore County Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines

11/02/90

Dennis F. Rasmussen

Your petition has been received and accepted for filing this 5th day of September, 1990.

> A. Robert Springe J. ROBERT HAINES ZONING COMMISSIONER

Petitioner: Salvatore E. Anello, et al Petitioner's Attorney:

JRH:gs

Raltimore County Fire Department 700 East Joppa Road, Suite 901 Towson, Maryland 21204-5500 (301) 887-4500 Paul H. Reincke

SEPTEMBER 6, 1990



J. Robert Haines Zoning Commissioner Office of Planning and Zoning Baltimore County Office Euilding Towson, MD 21204

SALVATORE E. ANELLO, III AND RE: Property Owner: JAMES J. TEMPLE, JR.

#1331 SULPHUR SPRING ROAD Location: Zoning Agenda: SEPTEMBER 4, 1990 Item No.:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

Fire Prevention Bureau Special Inspection Division

JK/KEK

DINENNA, MANN & BRESCHI

ATTORNEYS AT LAW

S. ERIC DINENNA, P.A. JAMES L. MANN, JR., P.A. GEORGE A. BRESCHI, P.A. GERALDINE A. KLAUBER FRANCIS X. BORGERDING, JR.

SUITE 600 MERCANTILE-TOWSON BUILDING 409 WASHINGTON AVENUE TOWSON, MARYLAND 21204 (301) 296-6820

TELEFAX (301) 296-6884

November 2, 1990

J. Robert Haines

Zoning Commissioner for Baltimore County County Courts Building Towson, Maryland 21204

RE: Case No. 91-101-A Location: Sulphur Spring Road Petitioners: Anello, et al.

Dear Mr. Commissioner:

Please enter my appearance on behalf of the Petitioners in the above-captioned case.

S. ERIC DINENNA

SED:cjc

BALTIMORE COUNTY. MARYLAND INTEROFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: August 30, 1990

FROM: Robert W. Bowling, P.E.

Zoning Advisory Committee Meeting for September 4, 1990

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items $5\overline{2}$, 55, 59, 60, 63, 65, 68, 69 and 70.

For Item 58, a County Review Group Meeting is required. For Items 45, 62 and 66, the previous County Review Group comments still apply.

For Item 57, the topography shows a pole at corner of drive that will interfere with widening. Half paving width of Sulphur Spring Road is 21 feet, right-of-way equals 30 feet (not shown on plan). Entrance apron to be 7-inch concrete on 4-inch CR-6, similar to Plate R-32.

For Item 61, a revised County Review Group Meeting is needed. Original County Review Group Meeting under "Chartley Building" was for one story office.

For 91-42-A, Mary and National Bank Regonstruction. we have no comments.

Developers Engineering Division

RWB:s

SALVATORE E. ANELLO, III

JAMES J. TEMPLE, JR.

ROBERT LIDSTON

T. AUSTIN MURPHY

Ann M. Nastarowicz

Towson, MD 21204

Deputy Zoning Commissioner

Office of Planning and Zoning

for Baltimore County

LAW OFFICES OF

ANELLO and TEMPLE LAW BUILDING 1334 SULPHUR SPRING ROAD P.O. BOX 18280 **BALTIMORE, MARYLAND 21227** ____

(301) 242-6600 FAX 242-2041

DEBORAH A. KELLNER PATRICIA A. HERRING Legal Assistants

December 7, 1990

DEC 12 1990

Dear Commissioner Nastarowicz:

ZONING OFFICE

This office is in receipt of your Findings of Facts and Conclusions of Law in regard to the above referenced case. As you are aware, you Ordered that the Petition for Zoning Variance to permit a drive way width of 10 feet for two-way movements in lieu of the required 20 feet, be Granted, subject, however, to restrictions which are conditions precedent to the relief granted. One of the restrictions is our compliance with the comments submitted by the Department of Environmental Protection and Resource Management, Bureau of Water Quality, dated August

Re: Case No.: 91-101-A

22, 1990 (a copy of which is enclosed). As you will note, said comments are in regard to property owner Robert George Gemmill, et ux, location 3001 Old North Point Road. I can only assume that said comments were placed in our file in error since our Petition for Zoning Variance was in regard to location 1331 Sulphur Spring Road. If you should have any further questions in regard to this

matter, or if anything further is required in order to have said restriction removed from our file, please feel free to contact our office.

Your cooperation in regard to this matter has been greatly appreciated.

SEA:dms Enclosure CC: Eric DiNenna

TE SUBMISSION OF PIEUS CO CHE COUNCY REVIEW GLOUP IS redutien, a montogeotokicar acond and an environmental Effects Report must be submitted. For more information contact the Division of Environmental Management

___MANACEMENT____

SALVATORE E. ANELLO, III

In order to subdivide this property, the owner or developer will be required to comply with the subdivision regulations of the State of Maryland and Baltimore County. If there are any questions regarding the subdivision process, please contact the Land Development Section at 887-2762.

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

J. Robert Haines

DATE: September 28, 1990

Pat Keller, Deputy Director Office of Planning and Zoning

Zoning Commissioner

SUBJECT: Salvatore E. Anello, III, Item No. 57

The Petitioner requests a Variance to allow a driveway width of 10 ft. for 2-way movements in lieu of the required 20 ft. width or in the alternative to allow a driveway with a width of 14 ft. for 2-way movements in lieu of the required 20 ft. width.

The reference to this request, staff offers the following comments:

- This project received a CRG waiver on April 23, 1990.

- The subject request pertains to existing conditions. Staff recommends that the Petitioner's request be granted,

subject to the following conditions:

- Any dumpsters located on the property should be fully enclosed. The approved zoning plan should be amended to indicate the location of a dumpster.

- The Petitioner shall submit a landscape plan to the Deputy Director of the Office of Planning and Zoning prior to the issuance of any building permits. Said plan shall pay special attention to the western property boundary, since residential property abuts the subject site at this point.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

ITEM57/ZAC1

SALVATORE E. ANELLO, III

JAMES J. TEMPLE, JR.

ROBERT LIDSTON

T. AUSTIN MURPHY

Room 109

J. Robert Haines

Zoning Commissioner

County Office Building

Towson, Maryland 21204

111 West Chesapeake Avenue

RECEIVED

57

ABOUT THE MAN WHEN THE PARTY HOUSE

ANELLO and TEMPLE LAW BUILDING 1334 SULPHUR SPRING ROAD

P.O. BOX 18280 BALTIMORE, MARYLAND 21227 (301) 242-6600 FAX 242-2041

LAW OFFICES

ZONING OFFICE DEBORAH A. KELLNER PATRICIA A. HERRING Legal Assistants

July 20, 1990

Re: 1331 Sulphur Spring Road - Request for Conditional Approval of Driveway Width

Dear Commissioner Haines:

Myself and my partner, James J. Temple, Jr., have been attempting since February of 1990 to secure a building permit and change of occupancy permit for the above referenced property which has been zoned BL-CCC prior to our purchase of the property in October of 1989. Enclosed you will find a copy of our Application for Permit which has been approved by all Departments in the County, with the exception of zoning which is approved only "to file", and I would ask that you note that all of these approvals were obtained, but for the zoning, by April 27, 1990. Enclosed you will also find our Approval and Waiver from the Maryland State Department of Housing and Community Development, Maryland Codes Administration, giving us approval and waiver as to the handicap requirements, and you will also find enclosed a copy of our waiver approval letter from the Office of Planning and Zoning wherein we have secured, as of April 23, 1990, a Waiver for the CRG Plan and Meeting.

On July 19, 1990, we met with Mr. John Sullivan of your Department who recommended strongly to us that we write to you directly since once amended our site plan will be approved, with the exception of the width of the driveway which cannot physically be brought into compliance since the required width is twenty (20) feet, with the proposed width of our driveway to the property being a maximum of twelve (12) feet.

1 FAMILY BEDROOMS GARBAGE DISPOSAL I. YES 2. NO BATHROOMS POWDER ROOMS KITCHENS	CLASS ^J LIBER _J FOLEO _J
BUILDING SIZE LOT SIZE AND SETBACKS FLOOR 20 SIZE WIDTH 7 FRONT STREET DEPTH SIDE STREET HEIGHT FRONT SETBK STORIES SIDE SETBK CORNER LOT REAR SETBK 1. YES 2. NO	APPROVAL SIGNATURES BLD INSP. BLD INSP. BLD PLAN: PICKET I WALL 3-8 90 FIRE VSIGNATURES SEDI OTIVI: Deval I WALL June 10 10 10 10 10 10 10 10 10 10 10 10 10
MAKE, CHECKS PAYABLE TO BALTIMORE COUNT	y MARYLAND NO PERMIT FEES REFUNDED 3, 3-1, 100, 10

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

September 11, 1990

SEP 11 1990

J. ROBERT HAINES, ZONING COMMISSONER, DEPARTMENT ZONENG OFFICE

CHARLES E. BURNHAM, PLANS REVIEW CHIEF, DEPARTMENT OF PERMITS & LICENSES CSB

SUBJECT:

ZONING ITEM #: 57 PROPERTY OWNER: Legal Owners: Salvatore E. Anello, III and James J. Temple, Jr. Tenants: Paulyne Volmar & Betty J. Volmar LOCATION: S/S Sulphur Spring Rd., 80' W Centerline of Carvelle Avenue (#1331) Sulphur Spring Road) ELECTION DISTRICT: 13th COUNCILMANIC DISTRICT:

A REVIEW OF THE SITE PLAN FOR THE ABOVE ZONING ITEM INDICATES THE

() PROPOSED SITE PLAN DOES, DOES NOT, COMPLY TO STATE CODE OF MARYLAND REGULATION 05.01.07, MARYLAND BUILDING CODE FOR THE HANDICAPPED.

() RAMPS (degree slope) () PARKING LOCATION () NUMBER PARKING SPACES () BUILDING ACCESS

TOWSON, MARYLAND 21204 - PHONE - 887-3900.

JAMES J. lemple.

() CURB CUTS () SIGNAGE

() PLAN DOES, DOES NOT COMPLY TO SET BACKS FOR EXTERIOR FIRE SEPARATION DISTANCE OF ARTICLE 5 AND ARTICLE 9 OF THE CURRENT BALTIMORE COUNTY BUILDING CODE.

A BUILDING PERMIT IS REQUIRED BEFORE ANY CONSTRUCTION CAN BEGIN. SECTION 111.1 OF ARTICLE 1. CONSTRUCTION DRAWINGS MAY BE ARE REQUIRED.

A CHANGE OF OCCUPANCY PERMIT IS REQUIRED TO CHANGE THE EXISTING USE OF THE STRUCTURE TO THE PROPOSED USE. SEE ARTICLE THREE AND ARTICLE ONE, SECTION 103.2 ALTERATIONS MAY BE NECESSARY BY CODE TO COMPLY TO NEW USE REQUIREMENTS.

() STRUCTURE IS SUBJECT TO FLOOD PLAIN LIMITATIONS, SECTION 516.0 COUNCIL BILL #158-88 (BALTIMORE COUNTY BUILDING CODE).

(X) OTHER - Exits & Design Loads of floors shall be specifically upgraded to commercial "use group" requirements drawings will require a registered Arch. or Enginetrs seal. PERMITS MAY BE APPLIED FOR @ ROOM 100, 111 WEST CHESAPEAKE AVENUE,

THIS REVIEW COVERS ONLY MAJOR ITEMS ASSOCIATED WITH THE SITE PLAN, A FULL REVIEW MAY BE CONDUCTED WHEN THE PERMIT APPLICATION AND PLANS ARE

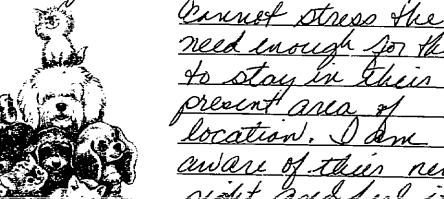
APPLICABLE CODE: 1987 NATIONAL BUILDING CODES AS ADOPTED BY COUNCIL BILL #158-88.

PETITIONER(S) SIGN-IN SHEET DEBORAH KELLNER 1334 SULPHUR SPRING &D BALTO. His 21227 BETTY JANE VOLMAR 2722 KILDAIRE DRIVE-BALTO 21234. PAULYNE J. VOLMAR 3722 KILDAINE DRIVE - BALTIMORE PAUL C CROOKS UR. 104 S. FILTON AND BACTO. 21223 (ENGTINEER)

Balto County Bonny Commissioner Office of Planning E, Boning Toloson, Ml. 21204 RE: Case # 91-101-A ____ 1331 Sulphur Spring Road

Dear Sir: I) have been doing business with the Volman's for over eleven mars They are the most hardworker and upstanding people D'know! as a patrow of their services,

Tenants: Paulyne & Betty Jake Volmas



present area location.

CHARLES E NURTON, JR ATTORNEY AT LAW gain published THE SULFICE SPHING ROAD はあいだめ アメニ 展末 いこべいご かばる

Seg 10 3 Hr 26, 1990

242 2570

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204

RE: 1991 Sulphur Spring Road

Haines:

: TEMPLE

ak Charles b. Norcon and have been a resident and attorney in Albutus for over thirty live (10) Years, and I have a Law Office at 1354 Sulphur opring road which to across the street from 1331 Suipher Spring Read.

In regard to the zoning variance for the driveway at 1931 sulphur Spring Read, I name no objections to the granting of the variance and further feel it will benefit the area. If I can help in any other way, please don't heartare to

september 26, 1990

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Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204

RE: 1331 Sulphur Spring Road

- ₹£; 1%;.₹d1+L41+1;41

Dear Mr. Haines:

I have been the owner of the building at 1330 Sulphur Spring Road for over forty (40) years and have operated the business known as Clements Appliance for that period of time. The property at 1331 Sulphur Spring Road is across the street from my business.

In regard to the request for variance for the width of the driveway at 1331 Sulphur Spring Road, it is my position that I have no objections to the granting of the variance.

ROBERT CLEMENTS

-00t 50.90 12:01 No.001 P.15/20 |

September 26, 1990

-2.5 € .20 42402 Malbert 6.12520.

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204

RE: 1331 Sulphur Spring Road

-7**E**2 40.₹71-242-2741

Dear Mr. Haines:

I have operated for five (5) years an accounting practice at 1338 Sulphur Spring Road across the street from the above referenced property and in reference to the proposed variance for the driveway, it has my approval.

Very truly yours,

-36+ 50.90 10:01 No.801 A.16/20

September 26, 1990

.55 ₹6,90 12:01 No.301 F.17-20

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204

> RE: Case No: 91-101-A Zoning Variance: 1331 Sulphur Spring Rd. Hearing Date: November 2, 1990

Dear Mr. Haines:

I have owned the property at 1333 Sulphur Spring Road for twenty (20) years which is the property adjacent to the above referenced property. In regard to the above referenced variance pertaining to the width of the driveway, which is next to the driveway at the property I own, I have absolutely no objection to the granting of the variance.

I have also owned for ten (10) years the property at 5550 Carville Avenue, and this property is immediately to the rear of 1331 Sulphur Spring Road.

If I can do anything else to indicate my consent to the approval of this variance please don't hesitate to contact me.

Very truly yours,

90t 70.90 12:01 No.001 P.14/20 TEL Mo.301-241-2041

SILBICER & SILBIGER ATTORNEYS AT LAW 1338 SULPHUR SPRING ROAD ARNOLD R SILBIGER* BALTIMORE MARYLAND 2:227:279: DAVID M SILB GER** JAY B SHUSTER

TELEPHONE (35)) 242-1616 FAX NUMBER (301) 536-7224

October 1, 1990

Baltimore County Zoning Commissioner Office of Planning and Zoning Towson, Maryland 21204

RE: 1331 Sulphur Spring Road

Dear Mr. Haines:

MEMBER OF MD AND DE BARS"

MEMBER OF MO AND NY BARSES

I am the owner of the building at 1338 Sulphur Spring Road, which is located across the street from the abovereferenced property. I currently operate my law firm in this building.

In regard to the proposed variance for the width of the driveway at 1331 Sulphur Spring Road, please be advised that I have no objection to the granting of the variance.

If anything further is required, please advise me.

ARNOLD R. SILBIGER

ARS:ehk

Baltimore County

Zoning Commissioner

Office of Planning & Zoning

ANELLO & TEMPLE

Towson, Maryland 21204 RE: 1331 Sulphur Spring Road

TEL No.301-242-2041

Dear Mr. Haines:

I am the owner of Barnes Bakery located at 1332 Sulphur Spring Road which bakery has existed at this location in Arbutus for over forty (40) years. In regard to the above referenced zoning variance application, please be advised that as the owner operator of Barnes Bakery located directly across the street from 1331 Sulphur Spring Road, I have absolutely no objection to the granting of the variance. I further feel it will be of great economic benefit to the Arbutus community to have the Hubbard School of Dance at this location.

If I can do anything else to convey my approval please let me know.

sincerely yours, Jovad Sadeghzadeh

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204

RE: 1331 Sulphur Spring Road

| TEL | 4:5.301-243-2641|

Dear Commissioner Haines:

As the owners of the property at 1329 Sulphur Spring Road, located next door to the subject property at 1331 Sulphur Spring Road, we have no objection to the granting of the stated variance in regard to the width of the driveway.

FRANK KNECHT

CONNIE KNECHT

October 23, 1990

Baltimore County Zoning Commission Office of Planning and Zoning Towson, Maryland 21204

Dear Mr. J. Robert Haines:

I am writing this letter in reference to Hubbards Studio of Dance c/o Ms. Paulyne and Betty Jane Volmar to assist her in resolving this very costly matter. I can not make it to the hearing as I hope this letter will serve to help her in resolving this issue. I have been a long time student of Hubbards and my daughter is now a student also. Due to the fact that we have never in the eleven years that I have been one of her students and three that my daughter has taken class ever had a parking lot. In light of the fact that she is renting this space, I can not understand why this has come to such a problem for her. The road by which her studio is located has always had meter parking and that has always been sufficient for everyone. The private parking lot will not be used for students due to the fact that there is not enough parking spaces in this small lot. To widen the driveway would only make sense if the parking lot were going to be expanded. If the parking lot was used only by Ms. Paulyne, her landlord and his secretary there would be enough room in the driveway due to each party enters and exits at different times in the day and there would be no problem with entering or exiting by only these four individuals. I hope that you can resolve this issue without costly circumstances for her as she has long waited for this extensive project to be finished for her move. The cost of repairs and maintenance has been overwhelming.

Sincerely,

Jena Millie

Tina Miller 311 John Avenue Linthicum, Maryland 21090

100 Dickens Street Glen Burnie, MD 21061 October 24, 1990

Mr. J. Robert Haines Baltimore County Zoning Commission

Re: Petition for Zoning Variance
Case #91-101-A

Dear Mr. Haines:

I am writing on behalf of Pauline Hubbard Volkemer and Betty Jane Volkemer of Hubbard's Dance Studio regarding their desire to obtain a zoning variance so they can move their studio to another building across the street from their present location in Arbutus.

I have been bringing my daughter to Hubbard's Studio for several years and feel that the school is a great asset to the community. Miss Pauline and Miss Betty Jane have worked hard to keep the appearance of the studio appealing, not letting it become rundown or dilapidated, thereby enhancing the neighborhood. In addition, the local businesses also benefit from the clientele the school brings into the area, thus bringing additional revenues into the county. More important than this, however, is the fact that the children especially benefit from their association with such fine people as Miss Pauline and Miss Betty Jane whom they look up to and respect. It means much more than the educational value of their music lessons. their music lessons.

I hope you will approve the variance so the school can continue in the area.

Thank you for your consideration.

Very truly yours,

Oct. 29, 1990 Balto County Boning Commissioner Towson, Ml. 21204 Goving RE: Case # 91-101-A 1) have been doing bucriess with aware of their new sight, and feel it

Their persence will only inhance the area and I can assure you their new neighbors will feel the doctors appointment for surger for your Consideration

which will be the second

22 Wade Avenue Catonsville, Baltimore, MD 21228 October 22, 1990

Baltimore County Zoning Commission Office of Planning and Zoning Towson, Maryland 21204

Attention: Mr. J. Robert Haines

Dear Sir:

With reference to the Hubbard Studio of Dance, new location on Sulphur Spring Road, Arbutus, Baltimore, MD 21227, the neighboring merchants, the nearby residents, students and parents of students feel that it is not necessary to widen the driveway of this location to 14 feet. It is not used very often and appears to be satisfactory as is.

The Hubbard Studio of Dance has been located in Arbutus for about 25 years and is a Pillar of the Community. Many students living in this area and their parents find it very convenient and enjoyable coming to this location for dance lessons. I am an older student, formerly of Arbutus, now residing in Catonsville, and also enjoy coming to this dance studio for my lessons and it is quite convenient. I am enrolled in evening classes and it is convenient for me to park on Sulphur Spring Road by a parking meter.

We do hope that you will consider how important the dance studio is to the people of the community, and that in this case the widening of the driveway which may not be used very often would not really be necessary.

Thank you very much for your consideration in this matter.

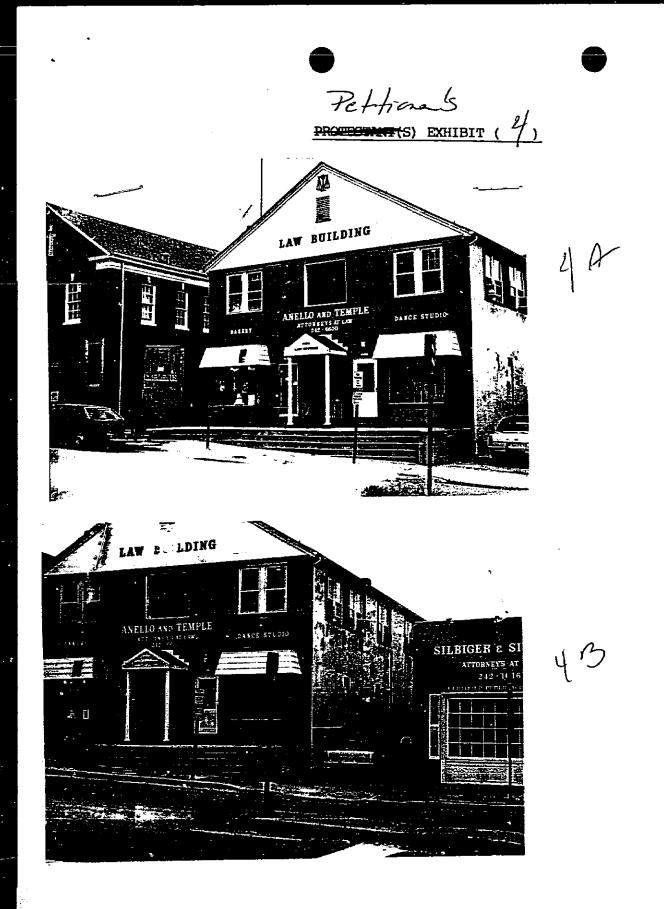
Baltimore County Zoning Commissioner
Petition for Zoning Variance
Case # 91-101-A Attention: J. Robert Haines The Hubbard Studio of Dancing is an institution serving the

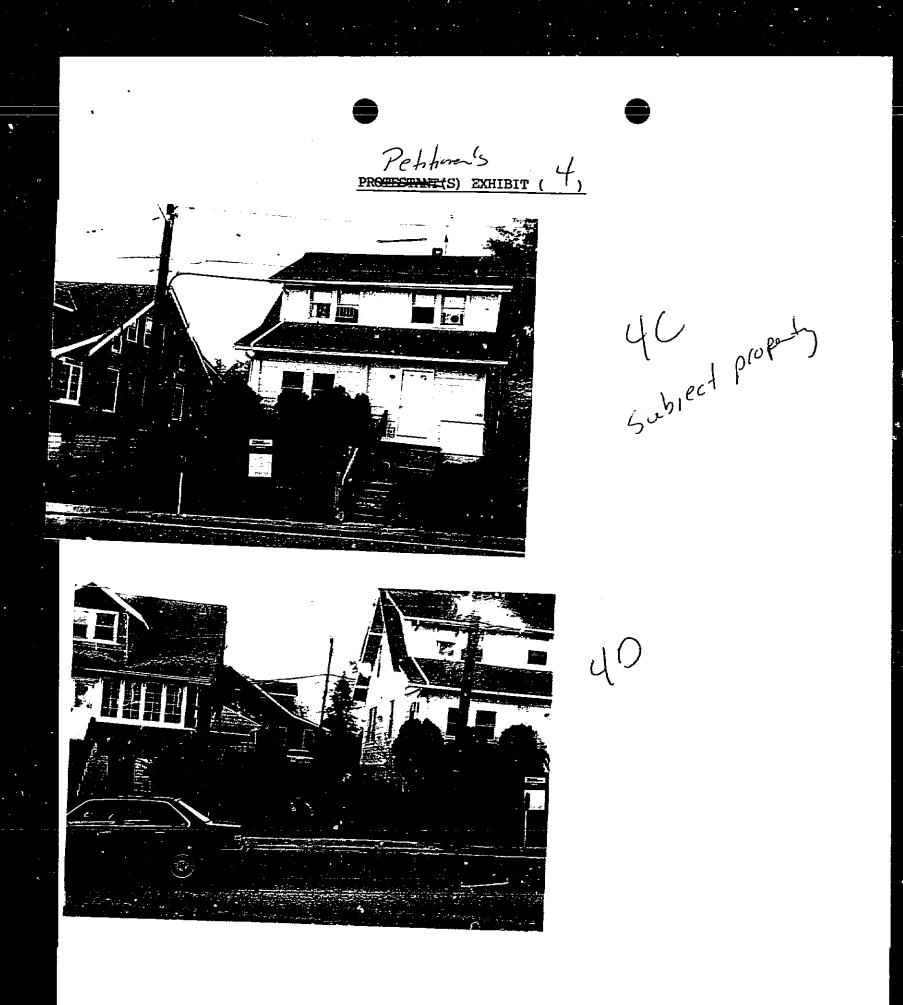
Arbutus/Halethorpe Community. It has conducted dance classes for Argurus/Haiethorpe Community. It has conducted dance classes for nearly two generations; currently providing dance and piano instruction for over two hundred (200) children and their families.

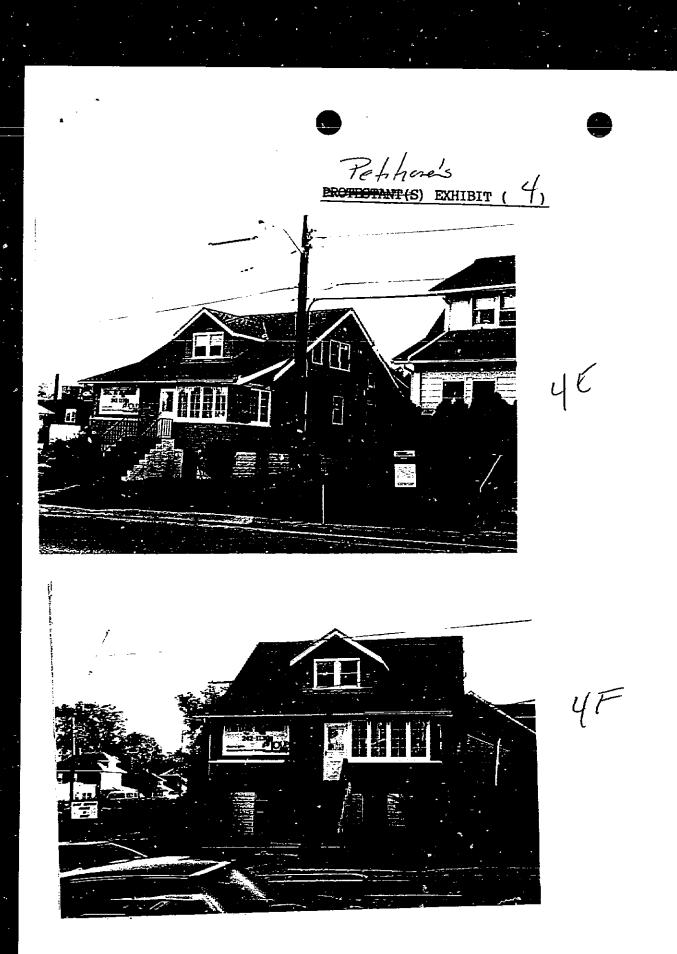
The approval of the variance is essential for the continued existence of the school. It would be a great loss for the school to close as it is a pillar of the community.

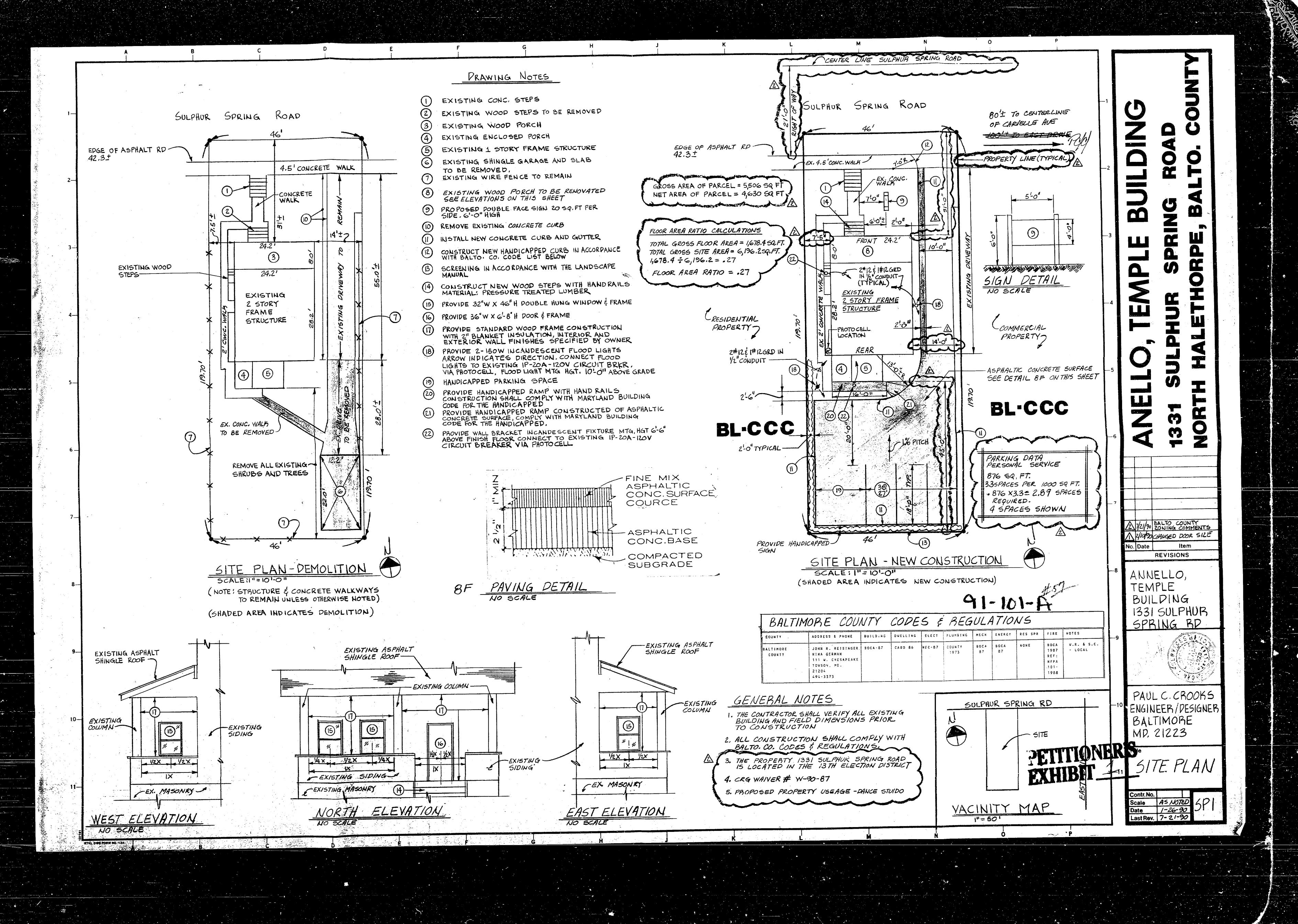
We, the undersigned, hope that you will approve the variance so that the school may continue in the Arbutus area.

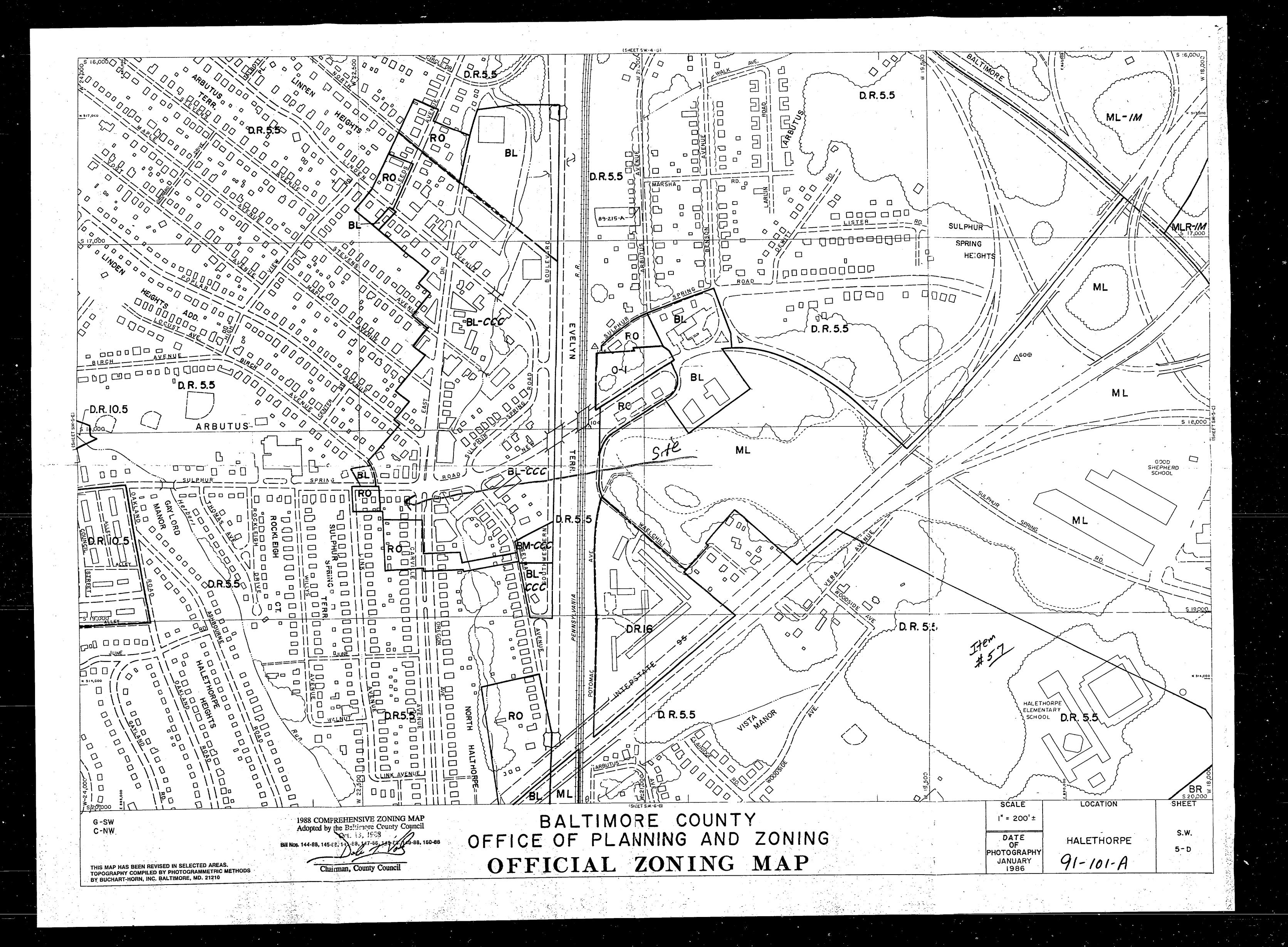
Your cooperation in regard to this matter is greatly appreciated. ADDRESS 411 Montenar avenue 21228 4217 Joan Ane # 21229 8421 Old Forderick Rd # 21043 8421 old Frederick Rd. 21043 3605 Hinelino Rd 21329 4720 VANCOUVER H >1229 3070 N. Chapelatela Bulton N Z1229 7655 Sharlock Ct Awardena Mp 21122 6122 Fourbourne (T. Manove Mr. 21076 100 SPROSPORT AUE CATORNILEMO 133713 Granuall AV ZIZZ9 William J Kiffett 1715 Willis Drive Rd. 21227 1 Dove Court 21207 1014 Lilac, Lane, Cher Berrio 21061 Graf Drolow Mildred Marier











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